

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

NATIONSTAR MORTGAGE, LLC

Plaintiff,

v.

CYNTHIA E. COTA, ESTEBAN COTA,
AND THE UNITED STATES OF AMERICA

Defendants.

§
§
§
§
§
§
§
§
§
§

5:24-CV-01472

NOTICE OF REMOVAL

COMES NOW THE UNITED STATES OF AMERICA (“Defendant”), and removes the above-referenced action to this Honorable Court as follows:

This is a lawsuit seeking foreclosure on a residential property because of the alleged default by mortgagors under their residential mortgage. Defendant has a valid lien on the subject property.

Plaintiff filed its Original Petition on December 3, 2024, in the case styled *Nationstar Mortgage, LLC v. Cynthia E. Cota, Esteban Cota and the United States of America*, No. 2024CI27147, in the 408th Judicial District Court of Bexar County, Texas. (“the State Court Action”).

Plaintiff caused citation in the State Court Action to be hand-delivered to the United States Attorney’s Office for the Western District of Texas on December 6, 2024, together with a copy of Plaintiff’s Original Petition, its initial pleading setting forth the claims for relief upon which the State Court Action is based.

The Court has original jurisdiction pursuant to 28 U.S.C. §1442(a)(1) (civil action commenced in State court against the United States, or any agency or officer of the United States).

Pursuant to 28 U.S.C. §1446(b), this notice is timely filed within thirty (30) days of the receipt of Plaintiff’s Original Petition.

Pursuant to 28 U.S.C. § 1441(a), venue is proper as the district and division where the State Court Action is pending.

Pursuant to 28 U.S.C § 1446(a), copies of all process and pleadings in the State Court Action are attached as Exhibit 1.

Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice will be filed this same date in the State Court Action (“the State Court Notice”). A copy of the State Court Notice is attached as Exhibit 2.

Pursuant to Local Rule CV-3(a), a JS 44 Civil Cover Sheet is attached as Exhibit 3 and a Supplement to JS 44 is attached as Exhibit 4.

WHEREFORE, Defendant respectfully requests the State Court Action be immediately removed to this Honorable Court, that the State Court take no further action and that the Court grant such other and further relief to which Defendant may be otherwise entitled.

Dated: December 27, 2024

Respectfully submitted,

Jaime Esparza

United States Attorney

By: /s/ Darryl S. Vereen
Darryl S. Vereen
Assistant United States Attorney
Texas Bar No. 00785148
Darryl.Vereen@usdoj.gov
601 NW Loop 410, Suite 600
San Antonio, Texas 78216-5597
Tel. (210) 384-7170
Fax. (210) 384-7358

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on December 27, 2024, I electronically filed this document with the Clerk of Court using the CM/ECF system and served the same by electronic mail delivery and/or regular mail delivery to the following:

Thomas L. Brackett, Esq.
Barrett Daffin Frappier
Turner & Engel, LLP
4004 Belt Line Road, Ste. 100
Addison, Texas 75001

via email: thomasbr@bdfgroup.com

Cynthia E. Cota and
Esteban Cota
25203 Hideout Falls
San Antonio, Texas 78261

via U.S. Mail, Standard Delivery

Unifund CCR, LLC
c/o Corporation Service Company
d/b/a CSC-Lawyers Incorporating Service Co.
211 E. 7th St., Ste. 620
Austin, Texas 78701

via U.S. Mail, Standard Delivery

/s/ Darryl S. Vereen
Darryl S. Vereen
Assistant United States Attorney